# PETITION TO MODIFY SPOUSAL MAINTENANCE or SPOUSAL MAINTENANCE and CHILD SUPPORT



# To Change an Existing Court Order DUE TO A CONTINUING CHANGE IN CIRCUMSTANCES ("STANDARD MOD")

Part 1: Filing the Court Papers (Forms Packet)

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# **SELF-SERVICE CENTER**

# TO CHANGE A COURT ORDER FOR SPOUSAL MAINTENANCE (ALIMONY) or SPOUSAL MAINTENANCE and CHILD SUPPORT

"Standard Mod" Forms

# PART 1: FILING THE COURT PAPERS FOR THE COURT HEARING

This packet contains court forms to file a **Petition to Modify Spousal Maintenance (Alimony),** *or* **Spousal Maintenance** *and* **Child Support** *- "Standard Process".* Be sure the documents are in the following order:

Order	File Number	Title	# Pages
1	DRMSP1ft	Table of forms in this packet (this page)	1
2	DRMSP1k	Checklist: You may use these forms if	1
3	DRMSP11f	"Petition to Modify a Support Order"	3
4	DRMSP81F	"Order to Appear"	1
5	DROSC13f	"Affidavit of Financial Information"	7
6	DRS12f	"Child Support Worksheet"	2

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# **SELF- SERVICE CENTER**

# PETITION TO MODIFY SPOUSAL MAINTENANCE (ALIMONY) or SPOUSAL MAINTENANCE <u>and</u> CHILD SUPPORT

# CHECKLIST

# YOU MAY USE THESE FORMS AND INSTRUCTIONS IN THIS PACKET IF:

✓ You have a spousal maintenance (also known as "alimony" or "spousal support") order from Maricopa County and believe the amount of spousal maintenance should be changed because there has been a substantial and continuing change in your circumstances.

OR

You have a spousal maintenance *and* child support order from Maricopa County and believe the amount of spousal maintenance *and* child support should be changed because there has been a **substantial and continuing** change in your circumstances.

### NOTE:

- There are situations where the court *cannot* modify a Spousal Maintenance Order.
- Before using these forms you may want to consult with a lawyer to see if you have an Order that can be modified.
- If you signed an agreement that said that spousal maintenance/support/alimony cannot be changed, the court will not be able to change the amount of spousal maintenance.

WARNING: If the order you want to change is not from this county, ask a lawyer about the requirements to file your Petition (Request) with this Court.

**READ ME:** Before filing documents with the Court, consult a lawyer to help guard against undesired and unexpected consequences. The Self-Service Center has a list of lawyers who can give you legal advice and who can help you on a task-by-task basis for a fee, and a list of court-approved mediators as well. You may view the lists at the Self-Service Centers or from our web site at: <a href="http://www.superiorcourt.maricopa.gov/ssc/provider/lawyers.asp">http://www.superiorcourt.maricopa.gov/ssc/provider/lawyers.asp</a>

Nam	e of Pers	son Filing Document: (A)			
Your	· Addres	s:			
Your	City, Sta	s:ate, Zip Code:			
Repr	esenting	ı: □Self (Without a Lawve	r) OR 🗆 /	Attorney for Petitioner OR Respondent	
ор.		<u> </u>	., <b>.</b>		
	SU	IPERIOR COURT C	)F ARIZ	ONA IN MARICOPA COUNTY	
			(B)	Case Number(C)	
Nam	e of Petit	ioner (in original case)			
				PETITION TO MODIFY A	
				SUPPORT ORDER	
AND				(Standard procedure)	
				☐ <b>Spousal Maintenance</b> (Alimony) (D)	)
			(B)	Spousal Maintenance & Child	
Name	e of Respo	ondent (in original case)		Support	
_					
1.		RMATION ABOUT TH			
	Name				
		State, Zip Code:			
	Count	ty where the Petitioner lives:			_
	Date of	of Birth:			
	Job T	itle:			
2.		RMATION ABOUT TH			
	Name				
		State, Zip Code:			
					_
	Job T	itle:			
3.			IE CURR	RENT SUPPORT ORDER I WANT TO	
	CHA	NGE:			
	Α.	Date of order I want to ch	ongo:		
	A. B.	Court Case Number of or	drige	to change:	
	C.	Location of court (city and	d state):		
	D.	Current Amount Ordered	to be paid:	The current order requires (name of person who	
		pays)			
				to make payment for: the following:	

FOR CLERK'S USE ONLY

Spousal Maintenance \$			Case No			
Other: \$		Spousal Maintenance	\$per			
Payments in Arrears: \$ per		Child Support	\$per			
NFORMATION ABOUT OTHER COURT CASES TO ENFORCE OR CHANGE THIS COURT ORDER:  Current enforcement or modification cases: No other cases are pending in any court for enforcement of this court order. (You must check here, and this must be true.)  Past enforcement or modification cases: If you or the other party have filed for enforcement or modification of the court order in the past, you must complete the following information, otherwise write "none" in the space provided. Use additional paper if necessary:  Names of Parties:  Date of order, judgment, decree: Explain what order or judgment said:  Court Case Number: Location of court (city and county):  Explain Type of Case: (emergency custody, visitation, etc.)  WHAT SPOUSAL MAINTENANCE SHOULD BE. Spousal maintenance amount and subject to change as ordered by the court. (You cannot ask for a change in spousal maintenance/support if you signed an agreement that says that spousal naintenance/support cannot be changed or modified.)  SPOUSAL MAINTENANCE SHOULD BE INCREASED OR DECREASED or AM ENTITLED TO HAVE THE SPOUSAL MAINTENANCE PAYMENTS STOR		Other:	\$ per			
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I AM ENTITLED TO HAVE THE SPOUSAL MAINTENANCE PAYMENTS STOF	shoul a cha	d be \$ per month beginn and subject to nge in spousal maintenance/support if	ing and continuing until change as ordered by the court. (You <b>cannot</b> ask for you signed an agreement that says that spousal			
	I AM	ENTITLED TO HAVE THE SP				

**PMO** 

	Case No
	LD SUPPORT: Answer Items 7 and 8 ONLY if you are <u>also</u> asking for a nge in child support.
<b>7</b> .	WHAT CHILD SUPPORT SHOULD BE: Attached is a Parent's Worksheet for Child Support Amount. According to the Parent's Worksheet calculations, the child support amount should be \$per month.
8.	I AM ENTITLED TO HAVE CHILD SUPPORT CHANGED BECAUSE:
9.	DEPARTMENT OF ECONOMIC SECURITY. Is DES providing Child Support Enforcement Services to at least one of the parties?  ☐ Yes (If yes, see instructions.) ☐ No ☐ Unknown.
10.	OATH OR AFFIRMATION
The	contents of this document are true and correct to the best of my knowledge and belief.
Sigi	nature Date
Swo	orn to or affirmed before me this date:

Deputy Clerk or Notary Public

My Commission expires

	FOR CLERK'S USE ONLY
SUPERIOR COURT OF ARIZON	IA IN MARICOPA COUNTY
	Case No.
Name of Petitioner (in original case)	Case No
,	ORDER TO APPEAR REGARDING
and	PETITION TO MODIFY A SUPPORT
Name of Door and out (in a similar lane)	ORDER
Name of Respondent (in original case)	
This is an important Court Order that afform understand this Order, contact a lawyer	ects your rights. Read this Order carefully. If you do NOT for legal advice.
Based on the "Petition to Modify a Suppo	ort Order" and pursuant to Arizona law,
	•
IT IS ORDERED:	
<ol> <li>That Petitioner and Respondent ap whether the Petition should be gra</li> </ol>	opear at the time and place stated below so the court can determine nted.
NAME OF JUDICIAL OFFICER:	
DATE AND TIME OF HEARING:	
PLACE OF HEARING: Maric	opa County Superior Court
ADDRESS OF HEARING:	<u> </u>
a failure to appear, the court may may by the party who does appear. If the party who does appear.	This is a 15 minute proceeding. The court will determine if ether represented by attorneys or not, must be present. If there is ke such orders as are just, including granting the relief requested petition seeks to establish, modify or enforce child support, and support arrest warrant may be issued for your arrest.
	<b>Appear</b> " and a true copy of the Petition and documents filed with the server or sheriff by the party who initiated this action, on the parties
(date). Copies of the "Response a	<b>Response and Opposing Affidavit(s)</b> " by <b>and Opposing Affidavit(s)</b> " must be served by the responding party represented, then on his or her attorney, by mail and in ules of Civil Procedure.
DONE IN OPEN COURT:	
<del></del>	Judge/Commissioner of the Superior Court

City, Dayti Even Repr	ng Address: State, Zip Code: me Phone Number ing Phone Number	: <u> </u>	etitioner	
	SI	UPER	IOR COURT OF ARIZONA IN MARICOPA COUNTY	
			Case No.	
Petiti	oner/Plaintiff		 ATLAS No	
			AFFIDAVIT OF FINANCIAL INFORMATION	
Resp	ondent		Affidavit of (Name of Person Whose Information is on this Affidavit)	<b>-</b> ;
state unde sanct	d below are true a rstand that, if I fail	and co	ment and know of my own knowledge that the facts and financial information rect, and that any false information may constitute perjury by me. I ovide the required information or give misinformation, the judge may on assessment of fees for fines under Rule 31, Arizona Rules of Family	also orde
Date			Signature of Person Making Affidavit	
INST 1.	inadequate, use s Affidavit. Answer know the answer	separa every to a of for "n	Affidavit in black ink. If the spaces provided on this form are ite sheets of paper to complete the answers and attach them to the question completely! You must complete every blank. If you do not question or are guessing, please state that. If a question does not not applicable" to indicate you read the question. Round all amounts a dollar.	
2.			tements <b>YES</b> or <b>NO</b> . If you mark <b>NO</b> , explain your answer on a separate a the explanation to the Affidavit.	
	[]YES[]NO		I listed all sources of my income.	
	[]YES[]NO		I attached copies of my two (2) most recent pay stubs.	
	[]YES[]NO		I attached copies of my federal income tax return for the last three (3) years, and I attached my W-2 and 1099 forms from all sources of income.	

FOR CLERK'S USE ONLY

1.		NERAL INFORMATION:	Date of Birth:					
	R	Current Address:						
	C.	Date of Marriage:	Date o	f Divorc	e:			
	D.	Date of Marriage: Date of Divorce: Last date when you and the other party lived together:						
	E.	Full names of child(ren) common to the parties (in this case), their dates of birth:						
	Na	me		Date of	Birth	_		
	_		- -			<del>.</del>		
	F.	The name, date of birth, relationship to you in your household:	u, and gross	monthly	income fo	r each indivic	lual who lives	
	Na	me	Date of Bir	th .	Relations	hip to you	Income	
	G. Na	Any other person for whom you contribute me Age	Relationship		ide With u (Y/N)	Court Orde Support (Y		
	Н.	Attorney's Fees paid in this matter \$		. Sourc	e of funds			
2.		EMPLOYMENT INFORMATION:  A. Your job/occupation/profession/title:						
		Date employment began: How often are you paid:  [ ] Weekly [ ]  [ ] Other	Every other					
		If you are not working, why not? Previous employer name and address: _						
		Previous job/occupation/profession/title: Date previous job began: Reason you left job: Gross monthly pay at previous job: \$	Da	ite prev	ious job en	ded:		
		Total gross income from last three (3) ye federal income tax returns for the last thr	ears' tax retu ree (3) years	ırns (att s):	•		•	
	E.	Year \$ Year Your total gross income from January 1 (income): \$	of this year	to the d	rearate of this	ֆ Affidavit (yea	ar-to-date	

2.

		Case No					
3.	YOUR EDUCATION/TRAINING: List name of school, length of tir	ne there, year of last attendance.					
	and degree earned:	, <b>,</b>					
	A. High School:						
	B. College:						
	C. Post-Graduate:  D. Occupational Training:						
	D. Occupational Training:						
4.	YOUR GROSS MONTHLY INCOME:						
	• List all income you receive from any source, whether private or	governmental, taxable or not.					
	• List all income payable to you individually or payable jointly to y	ou and your spouse.					
	• Use a monthly average for items that vary from month to month	).					
	• Multiply weekly income and deductions by 4.33. Multiply biwee	kly income by 2.165 to arrive at					
	the total amount for the month.						
	A. Gross salary/wages per month	\$					
	<ul> <li>Attach copies of your two most recent pay stubs.</li> </ul>						
	Rate of Pay \$ per [ ] hour [ ] week [ ] month [ ] year						
	B. Expenses paid for by your employer:						
	1. Automobile	\$					
	2. Auto expenses, such as gas, repairs, insurance	\$					
	3. Lodging	\$					
	4. Other (Explain)	\$					
	C. Commissions/Bonuses	\$					
	D. Tips	\$					
	E. Self-employment Income (See below)	\$					
	F. Social Security benefits	\$					
	G. Worker's compensation and/or disability income	\$					
	<ul><li>H. Unemployment compensation</li><li>I. Gifts/Prizes</li></ul>	Φ					
	J. Payments from prior spouse	Ψ					
	K. Rental income (net after expenses)	\$ \$					
	L. Contributions to household living expense by others	\$ \$					
	M. Other (Explain:)	\$					
	(Include dividends, pensions, interest, trust income, annuities	¥ <u></u>					
	or royalties.)						
	TOTAL:	\$					
5	SELF-EMPLOYMENT INCOME (if applicable):						
٥.	If you are self-employed, attach of a copy of the Schedule C for	your business from your last tax					
	return and the most recent income/expense statement from your but						
	·	·					
	If self employed, provide the following information:						
	Name, address and telephone no. of business:						
	Type of business entity:						
	State and Date of incorporation:						
	Nature of your interest:						
	Nature of business:						
	Percent ownership:						
	Number of shares of stock:						

			Case	No
			ssued and outstanding shares:sales/revenue last 12 months:	
	0.0	,00		_
expens	es f	or c	INSTRUCTIONS nust answer item 6 if either party asks for child support. These hildren who are common to the parties, which means one party is birth/adoptive father of the children.	
6.	sc •		DULE OF ALL MONTHLY EXPENSES FOR CHILDREN:  NOT LIST any expenses for the other party, or child(ren) who live	ve(s) with the other party, unless
			are paying those expenses.	
	•	If y	e a monthly average for items that vary from month to month. ou are listing anticipated expenses, indicate this by putting an a ount.	asterisk (*) next to the estimated
	Δ	HF	ALTH INSURANCE:	
	Λ.		Total monthly cost	\$
		2.	Premium cost to insure you alone	\$
			Premium cost to insure child(ren) common to the parties	\$
		4.	List all people covered by your insurance coverage:	
		5.	Name of insurance company and Policy/Group Number:	
	В.	DE	NTAL/VISION INSURANCE:	
			Total monthly cost	\$
			Premium cost to insure you alone	\$
			Premium cost to insure child(ren) common to the parties List all people covered by your insurance coverage:	\$
		5	Name of insurance company and Policy/Group Number:	
		0.		
	C.	_	REIMBURSED MEDICAL AND DENTAL EXPENSES:	
			ost to you after, or in addition to, any insurance reimbursement)  Drugs and medical supplies	Φ
			Other	\$
		۷.	TOTAL:	\$
	D.	СН	ILD CARE COSTS:	
			Total monthly child care costs	\$
			o not include amounts paid by D.E.S.)	
		2.	Name(s) of child(ren) cared for and amount per child:	

Do	MPLOYER PRETAX PROGRAM:  o you participate in an employer program for pretax payment of chafeteria Plan)? [ ] YES [ ] NO	nild care expenses?
1. 2. 3.	Court ordered current child support for child(ren) not common to the parties Amount of any arrears payment Amount per month actually paid in last 12 mos.  • Attach proof that you are paying Name(s) and relationship of minor child(ren) who you support or who live with you, but are not common to the parties.	\$ \$ \$
	DURT ORDERED SPOUSAL MAINTENANCE/SUPPORT (Alimo Court ordered spousal maintenance/support you actually pay to previous spouse:	ony): \$
1. H. EX	DURT ORDERED SPOUSAL MAINTENANCE/SUPPORT (Alime Court ordered spousal maintenance/support you actually	• •

Cooo No

# 7. SCHEDULE OF ALL MONTHLY EXPENSES:

• Do NOT list any expenses for the other party, or children who live with the other party unless you are paying those expenses.

Adjustment or deviation from the child support amount

• Use a monthly average for items that vary from month to month.

Attorneys' fees and costs

Enforcement

• If you are listing anticipated expenses, indicate this by putting an asterisk (\*) next to the estimated amount.

•			Case No	
A.	HC	USING EXPENSES:		
	1.	House payment:		
		a. First Mortgage	\$	
		b. Second Mortgage	\$	
		c. Homeowners Association Fee	\$	
		d. Rent	<del>*</del> <del></del>	
	2	Repair & upkeep	Ψ	
		Yard work/Pool/Pest Control	Ψ	
			Ψ	
		Insurance & taxes not included in house payment	Φ	
	5.	Other (Explain)	,	
_			OTAL: \$	
В.		ILITIES:		
	1.	Water, sewer, and garbage	\$	
		Electricity	\$	
	3.	Gas	\$	
	4.	Telephone	\$	
		Mobile phone/pager	\$	
		Internet Provider	\$	
		Cable/Satellite television	\$	
		Other (Explain:)	<u> </u>	
	Ο.	Cutor (Explain.)	OTAL: \$	
_	FΩ	OD:	Ψ	
О.			¢	
		Food, milk, and household supplies	\$	
		School lunches	\$	
	3.	Meals outside home	\$	
			OTAL: \$	
_				
D.		OTHING:		
		Clothing for you	\$	
	2.	Uniforms or special work clothes	\$	
	3.	Clothing for children living with you	\$	
		Laundry and cleaning	\$	
			OTAL: \$	
E.	TR	<b>ANSPORTATION OR AUTOMOBILE EXPENSES:</b>		
		Car insurance	\$	
		List all cars and individuals covered:	· -	
		ziot an care and marriadale cororea.		
	3.	Car payment, if any		
			\$	
	4.	Car repair and maintenance	· <del></del>	
	5.		\$	
		Bus fare/parking fees	\$	
	7.		<u> </u>	
		•	OTAL: \$	
F.	MI:	SCELLANEOUS:		
	1.	School and school supplies	\$	
	2.		\$	
	3.	Extracurricular activities of child(ren)	\$	

	Case No.
4. Church/contributions	\$
5. Newspapers, magazines and books	\$
6. Barber and beauty shop	\$
7. Life insurance (beneficiary:	_) \$
8. Disability insurance	\$
9. Recreation/entertainment	\$
10. Child(ren)'s allowance(s)	\$
11. Union/Professional dues	\$
12. Voluntary retirement contributions and savings deductions	\$
13. Family gifts	\$
14. Pet Expenses	\$
15. Cigarettes	\$
16. Alcohol	\$
17. Other (explain):	\$
TOTAL	· \$

**8. OUTSTANDING DEBTS AND ACCOUNTS:** List all debts and installment payments you currently owe, but **do not include items listed in Item 8** "Monthly Schedule of Expenses". Follow the format below. Use additional paper if necessary.

Creditor Name	Purpose of Debt	Unpaid Balance	Min. Monthly Payment	Date of Your Last Payment	Amount of Your Payment

		For Clerk's Use C					
(1) Name of Person Filing :							
Phone Number(s):	/						
In this case I am Petitioner or Respond	ent Or represented by Attorney						
(IF) Attorney, Name:							
Atty. Email:	Bar No.: Atty. Phone:						
SUPERIOR COURT IN MARICOPA	OF ARIZONA	_					
(3) Petitioner	(4) Case No.						
(3) Respondent	(4) ATLAS						
(5) Total Number of Children:							
(6) Parent with Primary Custody: Father	Mother						
(7) Parent who is filing this form: Father	Mother						
(8) Gross Income figures for the OTHER PARI	NT are:						
<u> </u>	V2 or pay stub attached, or other party's	-					
_	dge of pay before promotion or of others	-					
ATTRIBUTED, based on what other pa	ATTRIBUTED, based on what other party could and should be earning (see G						
	FATHER	MOTHER					
Gross Income (Pre-Tax Income. Before dedu	etions.) \$ (9) \$_						
Spousal Maintenance Paid	<b>\$</b> (10) <b>\$</b> _	-					
Spousal Maintenance Received	\$ + (11) \$	+					
Child Support Paid/Contributed	\$ (12) \$_						
Support of Other Children Paid	\$ <u>-</u> (13) \$_	<u>-</u>					
Adjusted Gross Income	\$(14) \$_						
Combined Adjusted Gross Income	(15) \$						
<b>Basic Child Support Obligation</b>	(16) \$						
Plus Costs for:		<u>—</u>					
Medical/Dental/Vision Insurance	\$ (17) \$						

**Total Adjustments for Costs** 

**Total Child Support Obligation** 

\$

Adjustment

(18)

(19)

(20)

(21)

(22)

(23)

Childcare

No. of Children Age 12 or Over

**Education Expenses** 

Extraordinary/Special Needs Child Expenses

	FATHER	0.4	(0.4)		MOTHER	0/
Each Parent's % of Combined Income		_ % _	(24) (25)			_ %
Each Parent's Share of Tot. Support Obligation	\$			4	5	
Adjustment for Non Custodial Parent's Costs Associated	ciated with Pa	rentir	ng Time			
Using Table A 🗌 Table B 🗌 (26	6)					
No. of Days =% Adjustment (from table) x Line (16) \$ (Basic Child Support Obligation)			(27)	\$		
Less Noncustodial Parent's Costs for:						
Medical/Dental/Vision Insurance*	\$		(28)	\$		
Childcare*	<u>\$</u>		(29)	\$		
Education Expenses*	\$		(30)	\$		
Extraordinary/Special Needs Child Expenses	* \$		(31)	\$		
*Subtract here ONLY if ADDED-IN items 17-2	0 above					
Adjustments Subtotal	\$		(32)	\$		
Preliminary Child Support Amount	\$		(33)	\$		
Self Support Reserve Test for Parent Who Will Pay						
Amount from Line (14) (Adj. Gross I	nc.)					
Minus Reserve Amount - \$775						
Total =	\$		(34)	\$		
Child Support to be Paid by: Father ☐ Mother ☐	¬ •		(25)	<b>\$</b>		
Child Support to be Paid by: Father Mother	\$		(35)	) <b>Þ</b>		
Share of Travel Expenses Related to Parenting Time *Only for expenses related to travel over 100 miles, one wa			_ %	(36)		_ %
				(0.7)		
Share of Medical/Dental/Vision Costs Not Paid by Ir	isurance ——		_ %	(37)		_ %
I declare under penalty of perjury that the foregoing	ງ is true and co	orrect	t.			
Executed on:						
Date	Signature of	Pare	nt			